



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 04 2009

REPLY TO THE ATTENTION OF:

E-19J

Ryan Rizzo
Major Project Manager
Federal Highway Administration
15 West Allegan Street, Room 201
Lansing, Michigan 48933

David W. Wresinski, Administrator
Project Planning Division
Bureau of Transportation Planning
Michigan Department of Transportation
Murray D. Van Wagoner Building
P.O. Box 30050
Lansing, Michigan 48909

Re: Final Environmental Impact Statement for the Blue Water Bridge Plaza Study,
St. Clair County, Michigan – EIS No. 20090090

Dear Messrs. Rizzo and Wresinski:

The U.S. Environmental Protection Agency has completed its review of the above-mentioned document. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The Final Environmental Impact Statement (Final EIS) discusses the recommended alternative for improvements at the U.S. inspection facility in St. Clair County. The purpose of the project is to:

- provide safe, efficiency, and secure movement of people and goods across the Canadian-U.S. border in the Port Huron area and
- support the mobility and security needs associated with national and civil defense.

The selected alternative will provide additional space for inspection booths, offices, docks to inspect and unload cargo, new security measures, and parking for cars and trucks which require inspection. The proposed plaza expansion was designed in accordance with the U.S. Land Port of Entry Design Guide and the Bureau of Customs and Border Protection's (CBP) Program of Requirements (POR). The POR used to design the Plaza Preferred

Alternative analyzed in the Draft EIS has since been modified by CBP. This modification to the POR has resulted in additional justifications for the project as well as changes to the Plaza layout. Changes to the Recommended Alternative include:

- modification of the primary inspection lanes layout to include lanes specifically designed for passenger traffic and truck/car dual-use lanes;
- relocation and reduction in size of CBP's main administration building;
- reduction of Federal agency employee and visitor parking spaces;
- addition of a head house for passenger secondary inspection;
- addition of space for secondary radiation detection portals and non-intrusive inspection;
- addition of exit control for vehicles exiting primary inspection; and
- reduction of outbound inspection facilities.

Our letter dated December 10, 2007 rated the Draft EIS as "Environmental Concerns-Insufficient Information." In our comment letter, we recommended the Final EIS address issues related to air quality and green building design. Our concerns regarding green building design have been addressed in Chapter 7, Comments and Responses, of the Final EIS.

In our comments regarding the air quality analysis included in the Draft EIS, we expressed disagreement with the following statement found in Section 3.9.4 of the Draft EIS regarding mobile source air toxics (MSATs):

"Technical shortcomings of emissions and dispersion models and uncertain science with respect to health effects prevent meaningful or reliable quantitative estimates of MSAT emissions at the project level."

We understand that this statement is taken from Federal Highway Administration's (FHWA) published guidance. We reiterate our disagreement on the language. We acknowledge that this matter is a programmatic one and should be dealt with at that level.

Pursuant to discussions with FHWA and the Michigan Department of Transportation (MDOT) during development of the Final EIS, FHWA and MDOT incorporated several air quality mitigatory actions in the Final EIS as suggested by EPA. These mitigatory actions have been incorporated in the Project Mitigation Summary "Green Sheet."

We recommend the Record of Decision (ROD) include commitments to incorporate all air quality mitigation measures mentioned in the "Green Sheet" as well as those mentioned in the body of the Final EIS, particularly use of ultra-low sulfur fuels for all construction equipment and Intelligent Traffic Systems (e.g., changeable message signs along the I-94/I-69 corridor).

Based on the above, we have no objection to the Recommended Alternative as stated in the Final EIS. We appreciate the efforts FHWA and MDOT have made to address our concerns regarding air quality impacts and to incorporate suggested mitigatory actions designed to address construction and operational sources of air pollutants. Please send a copy of the ROD to our office once it has been finalized.

If you have any questions, please do not hesitate to contact me or Kathy Kowal of my staff at (312) 353-5206 or via email at kowal.kathleen@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake", written over a horizontal line.

Kenneth A. Westlake
Supervisor, NEPA Implementation
Office of Enforcement & Compliance Assurance